

OFFENSE: 245(c) PC, Assault on with a Deadly Weapon/Peace Officer
245(a) (1) PC, Assault with a Deadly Weapon

VICTIMS: James BRAY, ECPD ID #210
Luis RUIZ, [REDACTED]

LOCATION: 335 N. Second, El Cajon

DATE/TIME: 10/8/01, Monday @ 2210 hours

SUSPECT: Dianna Lynn KNUDSEN, dob 9/14/60

REFERENCE: STATEMENT OF CASE

FACTS:

On 10/8/01, at approximately 2210 hours, KNUDSEN confronted RUIZ at the McDonald's Restaurant located at 281 N. Second in El Cajon. During this confrontation, she displayed a knife to RUIZ, while about five feet away from him, and made the statement, "Fuck you, you want to die tonight?" After making this statement, she continued to wave the knife in front of RUIZ.

RUIZ was able to walk away from KNUDSEN, and got a message to the employees of McDonald's to call the police. KNUDSEN then went in to the lobby of McDonald's Restaurant, where she continued to create a disturbance. Employees of the McDonald's Restaurant had to repeatedly ask her to leave the restaurant.

After receiving the 9-1-1 phone call from McDonald's, ECPD Dispatch directed officers into the area. BRAY responded from near the McDonald's Restaurant and immediately made contact with RUIZ, who had walked to the rear of McDonald's. RUIZ told BRAY what had happened and pointed north of the McDonald's Restaurant and told BRAY that KNUDSEN was last seen walking in that direction.

BRAY drove away from RUIZ and while attempting to follow KNUDSEN's last known direction of travel, he was confronted by another employee of the McDonald's Restaurant who told him that KNUDSEN had displayed a knife and was creating a disturbance in the restaurant. This employee also told BRAY that after she had gotten KNUDSEN outside of the restaurant, KNUDSEN walked away to the north.

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BRAY drove away from the McDonald's Restaurant, north through the parking lots of the roadside businesses in the 300 block of N. Second Street. When BRAY got to the Boll Weevil Restaurant located at 335 N. Second, he saw a subject matching the description of KNUDSEN. He exited his marked police car and immediately engaged KNUDSEN with verbal commands. He also drew his duty handgun and pointed it at KNUDSEN. He told her he believed she was armed with a knife and that he wanted to see her hands. To these commands, KNUDSEN replied, "Fuck you" repeatedly. BRAY continued giving verbal commands to KNUDSEN, however, she did not respond to them. At the time of these commands, BRAY was approximately 15 to 20 feet away from KNUDSEN and was standing just forward of the opened driver's door of his police vehicle. The vehicle was positioned between BRAY and KNUDSEN.

Despite BRAY's commands to show him her hands, KNUDSEN continued to shout at BRAY and at one point threw down a plastic bag she was holding in her left hand and displayed a knife to BRAY. At that time she said, "Here's my knife" and again went back to challenging BRAY's commands. At one time, KNUDSEN told BRAY to, "Go ahead and shoot me."

BRAY continued to issue verbal commands to KNUDSEN, however, KNUDSEN did not comply and took two steps towards BRAY. BRAY responded to this closure of distance between the two of them by taking two steps back, placing him just behind the opened driver's door of his police car. At that time, KNUDSEN, still failing to heed BRAY's commands, turned away from him and began to walk towards the northwest corner of the Boll Weevil Restaurant. BRAY, believing that KNUDSEN was going to attempt to flee from the contact, stepped around his opened driver's door and began to follow KNUDSEN to a position where he was standing just in front of his police car. At this time, KNUDSEN turned around and from a position of approximately 12 feet away, pointed her knife at BRAY and began to walk aggressively towards him.

BRAY, receiving no compliance from KNUDSEN, and now perceiving a heightened threat from her, fired his duty handgun twice in an effort to stop KNUDSEN from advancing on him. KNUDSEN reacted to the impact of the two rounds, however, she did not fall to the ground. In fact, KNUDSEN was able to straighten up and again orient herself towards BRAY. BRAY, still perceiving the threat from KNUDSEN, fired one more shot from his duty handgun, at which time KNUDSEN fell to the ground. BRAY then requested paramedics and a supervisor respond to the scene.

During the confrontation with KNUDSEN, BRAY had put out his location and requested "Code 3" cover. Almost immediately after KNUDSEN had fallen to the ground, other officers from ECPD had arrived and were able to make contact with BRAY. BRAY told the responding officers he believed she may

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be lying on top of the knife. The responding officers confirmed that she had dropped the knife. These officers were able to administer first aid to KNUDSEN, and stood by until the paramedics that BRAY had requested arrived and transported KNUDSEN to Sharp Memorial Hospital where she was treated for injuries.

An officer-involved shooting investigation was subsequently conducted. The three rounds that BRAY had fired were recovered. Two of the rounds were recovered at the scene as they had caused "through and through" type injuries to KNUDSEN. One of the round was recovered during KNUDSEN's surgery at Sharp Memorial Hospital. As previously mentioned, KNUDSEN is recovering from her injuries at the hospital and is currently under armed guard of the San Diego Sheriff's Department where she is being held with a \$500,000 bail for the above-listed offenses.

Respectfully submitted,


J. HAYS, #158
Investigations Division

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LOCATION: 335 N. Second, El Cajon

DATE/TIME: 10/8/01, Monday @ 2210 hours

SUSPECT: Dianna Lynn KNUDSEN, dob 9/14/60

REFERENCE: AMENDMENT TO STATEMENT OF CASE

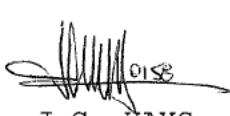
FACTS:

At the writing of the statement of case, it was believed that BRAY had initially contacted RUIZ at the rear of the McDonald's Restaurant when he responded to this call. As additional supplemental reports came in, it was learned that it was not RUIZ who had conveyed the information about KNUDSEN threatening RUIZ with a knife, it was [REDACTED]. [REDACTED] is an employee of McDonald's Restaurant. He overheard RUIZ when he entered McDonald's Restaurant and asked for the employees to call the police because an individual was waving a knife and threatening him (RUIZ).

[REDACTED] then exited the restaurant where he made several observations as to KNUDSEN's actions, which he then relayed to the responding patrol officer, BRAY. This was the information that BRAY received when he first drove onto the McDonald's property in response to the above disturbance call.

[REDACTED] observations are included in the witness statements section of this report.

Respectfully submitted,


J.G. HAYS, #158
Investigations Division

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